

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

MEMORANDUM ORDER

AND NOW, this 30th day of May, 2024, upon due consideration of [10] the Report and Recommendation of the Magistrate Judge recommending that the complaint in the above-captioned case be dismissed pursuant to 28 U.S.C. §1915(a) with prejudice and [32] plaintiff's objections thereto, and after *de novo* review of the record, IT IS ORDERED that plaintiff's complaint be, and the same hereby is, dismissed with prejudice;

IT FURTHER IS ORDERED that [15] plaintiff's first motion to supplement and/or his requests to "clarify" through an amended complaint be, and the same hereby are, denied as futile.

Plaintiff's objections are without merit. Plaintiff conflates a cause of action in contract with what he views as violations of the Rules of Professional conduct. A purported violation of the Rules does equate to a recoverable claim for damages in contract. Any asserted breach occurred more than a decade ago. And as aptly noted by the magistrate judge, plaintiff's "claims" in this action are baseless in any event.

The [10] Report and Recommendation of the Magistrate Judge is adopted as the opinion

of the court.

s/David Stewart Cercone

David Stewart Cercone

Senior United States District Judge

cc: The Honorable Richard A. Lanzillo

Gregory Joseph Podlucky

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(Via CM/ECF Electronic Mail)